

### **REMARKS**

Favorable reconsideration of this application in light of the following remarks is respectfully requested. Claims 1-18 are pending in this application, with claims 1 and 12 being independent. Claims 1, 3, 4, 7, 12 and 15 have been amended.

Applicants respectfully note that the present Action does not indicate that the drawings have been accepted by the Examiner. Therefore, Applicants respectfully request that the Examiner's next communication include an indication as to the acceptability of the filed drawings or as to any perceived deficiencies so that the Applicants may have a full and fair opportunity to submit appropriate amendments and/or corrections to the drawings.

### **Specification**

The Abstract is amended herewith to be in narrative form and within the range of 50-150 words. Accordingly, Applicants' respectfully submit the Examiner's comments on page 2, item 2 of the Office Action mailed August 10, 2005 have been addressed.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 1-3 and 10 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lager et al. (U.S. Patent No. 6,636,502, herein Lager) in view of Tiedmann, Jr., et al. (U.S. Patent No. 6,216,004, herein Tiedmann). Applicants respectfully traverse this rejection for the reasons detailed below.

The method for configuration negotiation in a data communication system of independent claim 1 recites, *inter alia*, "receiving, at an access network, an access request **and a token from an access terminal, the token including at least one bit associated with a parameter group type,**

the bit indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type;” and “sending information to and receiving information from the access terminal according to the default parameter group without negotiating parameters for the associated parameter group type when a portion of the access network communicating with the access terminal operates according to the default parameter group for the associated parameter group type and the bit indicates the access terminal operates according to the default parameter group for the associated parameter group type.”

Lager is directed to a switching device (PLMN-SW) in a mobile radio communication system (PLMN), which allows a terminal station (GPRS-MS) to connect with one of a plurality of packet data communication networks (PDN1, PDN2, IN).<sup>1</sup> In Lager, a “network request means NRM of said terminal station GPRS-MF is provided for sending said selected network indication parameter NIP to said switching device PLMN-SW in order to request a connection to the packet data communication system indicated by said network indication parameter NIP.”<sup>2</sup>

Accordingly, the request including the network indication parameter NIP is sent by the terminal device GPRS-MS and is received by the switching device PLMN-SW. The network indication parameter NIP does not provide any indication as to whether the terminal station GPRS-MS is operating according to a default parameter group, but instead merely instructs the switching device PLMN-SW with which packet data network to connect. Accordingly, Applicants respectfully rebut the Examiner’s assertion, on page 3, lines 1-5 of the Office Action, that Lager describes “receiving, at an access network, an access request indicating whether the

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<sup>1</sup> Lager, FIG. 8.

<sup>2</sup> Lager, column 12, lines 43-49.

access terminal is operating according to a default parameter group for the associated parameter group.”

Furthermore, in the Office Action, the Examiner correctly acknowledges that Lager “does not teach of receiving, at an access network, a token from an access terminal, the token including at least one bit associated with a parameter group type, the bit indicating whether the access terminal is operating according to a default parameter group for the associated parameter group; where the bit indicates the access terminal operates according to the default parameter group for the associated parameter group type.”<sup>3</sup> The Examiner relies on Tiedmann to allegedly teach “using a bit to indicate access parameters in a wireless communication network (Col. 5, lines 1-5).”<sup>4</sup>

However, Tiedmann merely states that an “extended system parameters message” may have a 1-bit flag that indicates whether an Access Probe Handoff is permitted to a base station.<sup>5</sup>

Accordingly, Applicants respectfully submit that Tiedmann fails to disclose, teach or suggest the method of independent claim 1 including receiving a “token including at least one bit associated with a parameter group type, the bit indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type,” wherein the received token may trigger an access network to send and/or receive “information from the access terminal according to the default parameter group without negotiating parameters for the associated parameter group type when a portion of the access network communicating with the access terminal operates according to the default parameter group for

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<sup>3</sup> Office Action, pp. 3.

<sup>4</sup> Office Action, pp. 4.

<sup>5</sup> Tiedmann, Column 2, lines 2-6.

the associated parameter group type and the bit indicates the access terminal operates according to the default parameter group for the associated parameter group type.”

For at least these reasons, the rejection of claims 1-3 and 10 under 35 U.S.C. § 103(a) should be withdrawn.

#### **Claims 4, 6, 9 and 11**

Claims 4, 6, 9 and 11 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lager and Tiedmann in view of Dunn et al. (U.S. Patent No. 6,591,103, herein Dunn). Applicants respectfully traverse this rejection for the reasons detailed below.

Dunn is directed to a wireless telecommunication system that includes a Central Selection Agency (CSA) that identifies network and base stations as potential carriers for a call. Based on user preferences established by a profile stored in an accessible data base, the CSA assigns a network and a base station to handle the connection.<sup>6</sup> The CSA in Dunn may recognize and assign a call received from a user device to a network based on user profile information.

However, Applicants respectfully submit that Dunn also fails to disclose, teach or suggest the above-emphasized features of independent claim 1, and therefore fails to cure the deficiencies of Lager and Tiedmann as described above with respect to independent claim 1.

Therefore, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) of claims 4, 6, 9 and 11, that depend from independent claim 1, be withdrawn.

#### **Claims 7 and 8**

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<sup>6</sup> Dunn, Abstract.

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lager, Tiedmann, and Dunn in view of La Porta et al. (U.S. Patent No. 6,085,086, herein La Porta). Applicants respectfully traverse this rejection for the reasons detailed below.

Applicants respectfully submit that La Porta also fails to cure the deficiencies of Lager, Tiedmann, and Dunn as described above with respect to independent claim 1.

Therefore, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) of claims 7 and 8, which depend from independent claim 1, also be withdrawn.

#### **Claim 5**

Claim 5 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Lager, Tiedmann, and Dunn in view of Raith (U.S. Patent No. 5,241,598, herein Raith). Applicants respectfully traverse this rejection for the reasons detailed below.

Applicants respectfully submit that Raith also fails to cure the deficiencies of Lager, Tiedmann, and Dunn as described above with respect to independent claim 1, and thus, dependent claim 5 is allowable over the cited references for at least the same reasons as discussed above with respect to independent claim 1.

Therefore, Applicants respectfully request that the rejection of claim 5 under 35 U.S.C. § 103(a) be withdrawn.

#### **Claims 12, 14, 17 and 18**

Claims 12, 14, 17 and 18 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Dunn in view of Tiedmann. Applicants respectfully traverse these rejections for the reasons detailed below.

Independent claim 12 includes features somewhat similar to those discussed above with regard to independent claim 1. As further explained above, both Dunn and Tiedmann fail to disclose, teach or suggest the above-emphasized features as set forth somewhat similarly in independent claim 1. In particular, claim 12 recites, “receiving, at an access network, an access request and a token from an access terminal, the token including at least one bit associated with a parameter group type, the bit indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type;” and “sending information to and receiving information from the access terminal according to the accessed parameter group of the associated parameter group type for the access terminal without negotiating a parameter group of the associated parameter group type when a portion of the access network communicating with the access terminal operates according the accessed parameter group for the associated parameter group type.”

Thus, for at least reasons somewhat similar to those set forth above with regard to claim 1, Applicants respectfully submit that both Dunn and Tiedmann fail to disclose, teach or suggest all of the features of claim 12.

Therefore, Applicants respectfully request that the rejection of claims 12, 14, 17 and 18 under 35 U.S.C. § 103(a) be withdrawn.

### Claim 13

Claim 13 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Dunn and Tiedmann in view of Raith. The Applicants respectfully traverse this rejection as detailed below.

Applicants respectfully submit that Raith also fails to cure the deficiencies of Dunn and Tiedmann as described above with respect to independent claims 1 and/or 12. Thus, dependent

claim 13 is allowable over the cited references for at least the same reasons as discussed above with respect to independent claim 12.

Therefore, Applicants respectfully request that the rejection of claim 13 under 35 U.S.C. § 103(a) be withdrawn.

### **Claims 15 and 16**

Claims 15 and 16 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Dunn and Tiedmann in view of La Porta. The Applicants respectfully traverses these rejections for the reasons detailed below.

Applicants respectfully submit that La Porta also fails to cure the deficiencies of Dunn and Tiedmann as described above with respect to independent claims 1 and/or 12. Thus, dependent claims 15 and 16 are allowable over the cited references for at least the same reasons as discussed above with respect to independent claim 12.

Therefore, Applicants respectfully request that the rejection of claims 15 and 16 under 35 U.S.C. § 103(a) be withdrawn.

### **CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-18 in connection with the present application is earnestly solicited.

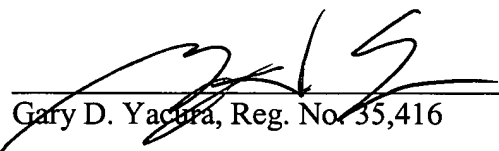
Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

  
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